\$9,500 Divided Among the Secret Six Was a Fine of 840 Each on 340 Men. which Employers Paid to Get the Men Back to Work—Labor Graft Intricacles.

An interesting process by which the Journeymen Stonecutters Union raised money when its treasury had been depleted by the inroads of secret committees and the advance payments to certain of its powerful members for "services to be ! rendered" was revealed at the trial of Lawrence Murphy before Judge Newburger in General Sessions yesterday. Assistant District Attorney Nott, who is onducting the prosecution, was very much wrought up over the contention of the defence that the \$9,600 which the six members of the secret committee voted to themselves had, like the \$10,000 check from the Brooklyn employers, been exrorted from bosses, and by recalling John Boyle to the stand he endeavored to show hat this money was really accumulated fines, dues and assessments of members.

Boyle, in a burst of virtuous indignation at the insinuations of John F. McIntyre, declared that the money did come from members, but, on cross-examination, reluctantly admitted that although the fines were imposed upon members the employers of those members were obliged to pay them. He said that the union fined pay them. He said that the union fined highest demand being \$13,000, he said. 240 of its members \$40 each-for just what. did not appear. Of course, the men could not pay this money themselves, and of course, if they did not they would be suspended from the union. Suspended from the union, they would be beyond the pale of its protection, and therefore would practically rank as "scabs." An employer who gave work to a suspended member would himself fall under the displeasure of the union, an expensive thing to do, as many of them found out. Therefore the only thing they could do to keep at work on their contracts with union men was to pay the fines the union had inflicted on these men. They did this, and by this interesting process the treasury of the stonecutters' union was kept in good shape. On the subject of this \$9,600 an interestng piece of testimony given by John Boyle, one of the men who voted a sixth of this sum to himself, came out on Thursday in esponse to a question by Judge Newourger. It escaped notice at the time ecause Boyle practically whispered his esponse to the Court, but yesterday it was found in the record. This is the colloquy between Boyle and the Judge

0. How did you individuals come to deposit this amount of money (\$9,600) in the severs' Surety Company in your own mes? A. It was done by order of the

a certain sum in each man's name? A. Well, they claimed it was for safety. They were fraid that another bunch would get in there nd they would walk off with it if they left

At the time Boyle referred to there was trouble in the union, and those who were not in power were trying to get into power. Those who were in power were evidently afraid that the outs were going to get in. and they didn't mean to leave anything in the treasury for them to get away with. Therefore they voted all the money in the reasury to themselves in advance, "for services to be rendered."

When the trial of Murphy was resumed when the trial of Murphy was resumed vesterday the court room was crowded with labor union men and members of the employers' association. The session was the liveliest yet held, Mr. McIntyre denouncing the leaders of the union as a lot of highwaymen and thieves, and declaring that no jury could convict Murphy of employers which in the first close the expling money which in the first place had been stolen by members of the union. On this point, it was announced yesterday, so certain are Col. Andrew D. Baird of so certain are Col. Andrew D. Baird of Brooklyn and his associates among the employers who gave up \$10,000 on demand of this union that they were swindled, that they are going to begin individual

suits against the members of the secret ommittee that got the money from them. When Boyle was recalled to the stand accumulated dues and assessments of members, and that he and the others who members, and that he and the others who voted this money to themselves had contracts with the Lawyers' Surety Company by which they were to deliver written statements of their services to the union before they could draw any of it out. They were also bonded in the company, they said. When they finally did draw the money

out in a lump, however, he admitted that it was on a resolution which they passed and which practically made the provisions of the contract void, so far as it protected he money. Boyle said that the papers of he union were kept in a safe deposit vault Mr. McIntyre-Where was the safe deposit lt? A. In the same building with the tyers' Surety Company. I don't know

Whose name was it in? A. I don't It was not in the name of the union, the A. I don't know. Was It in the name of the secret com-Why was a safe deposit vault hired? A.

papers in.

w isn't it a fact that it was hired a bank notes and money that had recured by extortion, so that it could e traced? A. No. I'd you personally or did the secret httee ever put any money in that vault?

Were you present every time anything put in that vault? A. No.
Then you're not sure? A. I'm not sure.
Who had the keys to this vault? A. president and the walking delegate.
You were the treasurer then and you you had no key? A. I had no key. objection to this examination being

istained Mr. McIntyre declared that if never belonged to the union at all. He leclared that the papers kept in it were ements with employers made in 1898.
From these agreements it can be shown almost \$10,000 was secured by these and that they put them in this vault hat they could not be traced by the offices and would be safe until they idivide the swan by voting it to them. divide the swag by voting it to them-

made a flerce attack on the witness and draw from him the fact that the \$9,600 was secured by fining 240 members of the on \$10 each and making the employers by the fines. This announcement made a sensation and seemed especially pleasing to the members of the employers' associa-tion who happened to be in court.

Boyle said that the members of the secret committee got \$2.50 a day when they met, and when their sessions went into the evening 60 cents more. He denied that they usually managed to get \$10 each out of the treasurer when they met. He admitted that when he served on the committee that went to Brooklyn and got the 10,000 check from Col. Baird, he received five or six dollars." At the same time he was drawing a salary from a Mr. Shuttleworth for whom he was working. He admitted eceiving money for meeting at Mosher's aloon at Ninety-seventh street and First venue, but denied that he had ever been

Ro to Farrell's saloon at Fifty-fourth Charles A Tucker, who was the secretary f the secret committee, was called and iden-ified the constitution and by-laws of the On cross-examination he said that there was no secret committee.

Q. What was the committee you were secretary of? A. It was the executive

9. Did it meet in secret? A. Oh, yes.
9. I show you a resolution of June 15,
88, taken from the minutes of your union.
1 trads that the president is empowered to
point a secret executive committee, which

mittee, isn't it? A. I suppose so.

Donald Call, the walking delegate of the union and leader of the committee which got \$10.000 from Col. Baird, was called. He told about the trip to Brobklyn and the demand for the check. At his request, he said, the check was made payable to Murphy. He also told of seeing Murphy in the Tombs prison. Asked why he went to the prison he said he was downtown and just dropped in.

Mr. McIntyre brought it out that Call went straight from the District Attorney's office to the Tombs and that he went at the request of Deputy Assistant District Attorney Smythe. Call denied that he had told Murphy that he had authority from the District Attorney to say that Murphy would be freed if he would give up the money he had stolen.

Mr. McIntyre—What do you get as a walk-

money he had stolen.

Mr. McIntyre—What do you get as a walking delegate? A. Five-fifty a day.
Q. Your expenses were paid by Murphy?
A. Yes.
Q. Was any record of money paid out kept? A. I don't know.
Q. You were the president of the union at the time Murphy was treasurer and you don't know this? A. I don't know.
Q. As a matter of fact, didn't you have an agreement with Murphy that he was not to keep any record? A. I did not.
Q. Would a record of expenditures by the secret committee appear on the minute book of that committee? A. It ought to.
Q. Does it? A. I don't know.

Mr. McIntyre switched to the Raird.

Mr. McIntyre switched to the Baird transaction in Brooklyn and Call admitted that the first demand made on Col. Baird was for \$50,000. He repeated this at Mr. McIntyre's request. On Thursday Boyle, who was also a member of this committee, who have also a member of this committee, who have a demand for expenditually denied that a demand for

highest demand being \$13,000, he said.

Q. Tell us what you said to Col. Baird?
A. Well, there was Col. Baird, Mr. Rankin and Mr. McLaren there. We told them they had been fined \$50,000 and that it might have been \$100,000.

Q. Did they refuse to pay? A. Yes, they offered \$3,000.

Q. What did you reply to that? A. Oh, we asked him if he was joking.

Q. You thought an offer of \$3,000 was a joke, eh? A. Certainly.

Q. Did they think the demand for \$50,000 was a joke? A. I don't know.

Q. What did you do next? A. Oh, we kept getting nearer and nearer each other. They commenced coming up and we commenced going down. When we met at \$10,000 we refused to take any less.

Q. You said that if you didn't get \$10,000 the strikes would not be declared off, didn't you? A. No.

Q. Well, what were the conditions? A. We promised to unionize the shops and they could ke a head with their work.

Mr. McIntyre—But isn't it a fact that if they had refused to pay this \$10,000 you would not have let them go on with any work?

Mr. Nott objected and was sustained.

Mr. Nott objected and was sustained. Then Mr. Intyre asked permission to argue his point. He said:

If a highwayman meets his victim in the night and takes his property, he cannot acquire title to such property, obtained as it was by duress, violence or threats. The man who steals from me by physical force, coercion or by fear he inspires in me acquires no title to the property he has taken from me. It has been held repeatedly by the higher courts, and I refer your Honor especially to the case of the People against Barondess, that to threaten to tie up a shop if money is not paid, and money on this threat is obtained, is extortion. Whoever does this is guilty of extortion, and he cannot have a clear title to money obtained by a crime. policy
We still recognize the respectable walking delegates as representatives of the unions, though not as arbitrators, but the other element for some time seems to have had the control, though its reign seems now near FINES WERE CONSTITUTIONAL Judge Newburger-You do not seriously offer this as a defence for the prisoner at

offer this as a defence for the prisoner at bar?

Mr. McIntyre—I certainly do Stealing must be from the true owner. If these men went to the Brooklyn bosses and demanded money on the threat that they would declare a strike they were guilty of extortion and have no title to the money thus obtained. The indictment in this case charged Lawrence Murphy with the theft of money from the true owner. I submit that he is not guilty of such a crime—Judge Newburger—I shall instruct the jury at the proper time that if Murphy appropriated funds he is responsible to this organization for it.

Mr. McIntyre—If this is the theory of the law held here, it makes the law legalize an act of extortion.

act of extortion
Judge Newburger-No such thing If
these men obtained the money improperly
the remedy against them is in another proceeding.

Mr. McIntyre argued for some time that he ought to be allowed to show that the committee that got the \$10,000 from the Brooklyn bosses made threats of what they would do if the money was not paid. He was unable to get the evidence in, so threaten and intimidate men who are working there. The men are members of the he substituted an extract from the minhe substituted an extract from the min-utes of the union of March 12, 1902, in which the president of the union (Call) ordered the Brooklyn members of the union not to go back to work until a settlement had been reached with the Brooklyn employers, \$75 fine and thirty days in jail: John Lillis, heen reached with the Brooklyn employers.
Mr. McIntyre asked Call if it wasn't a fact that Fitzpatrick, the financial secretary \$50 fine. Justice Andrews says in his reof the union, used to authorize Murphy to | port: make large payments to certain members of the union. He said he didn't know. He admitted that he had heard that officers and members of the union used to go to Murphy's house and get money, but he to Murphy's house and get money, but he didn't know it was so. Call denied that he met. Murphy after the latter was accused of embezzling the union's funds and advised him not to pay back any of the money.

O. Don't you recall his telling you that it was extorted money and that he wouldn't give it back until somebody proved a clear title to it? A. No.

self-evident. With or without reason, alone or together, workmen may leave their employers. By argument or persuasion, by appeals to sympathy or prejudice, they may leave their vacant places. But here they must stop. Every man may work upon terms that seem to himself best, if he cannot, his personal libe ty is abridged. To protect him in this right governments and court may use their full powers. It was to enforce these everyday rules that the injunction in this action was granted.

O. Don't you recall his telling you that it was extorted money and that he wouldn't give it back until somebody proved a clear title to it? A. No.

A juror asked Call if money was ever paid out by the treasurer save on a writ-ten order countersigned by an officer. Call said never. Then Mr. McIntyre asked Call if it wasn't a fact that the bills of the secret committee were paid by verbal order and he said that it was. Asked why, he said it wouldn't do at all to present the bills of the secret committee to the entire

of the money secured as a fine from Ruben-

of the money secured as a fine from Rubenstein, the Brooklyn stonecutter.
William A. Norrie, once president and once treasurer of the union, testified that when he tried to get the union's money from Murphy the latter said to him:
"If you want to find where the funds are you'll have to dig deeper than me."
John C. Nolan and John Hagan, trustees of the union testified to calls at Murphy's of the union testified to calls at Murphy's house and demands made there and at other places for the union's money. other places for the union's molecy. They never got any satisfaction from Murphy, they said. An adjournment was taken until Monday. Beginning then there will be full day sessions of the court until the case is disposed of.

Mr. McIntyre decided yesterday to put Mr. McIntyre decided yesterday to put Murphy's wife as well as Murphy on the witness stand in Murphy's defence. Mrs. Murphy will tell of the repeated calls at her house by officers of the union and the demands for money which her husband met in her presence. The Murphys have five children, one of whom was born after Murphy was locked up in the Tombs.

When Walking Delegate Call left the stand yesterday he made this statement to reporters:

o reporters:
"So that there will be no misunderstanding about our union I want to say right now that this is the principle we stand on: If an employer does not obey the rules of our union and a strike follows as a result, he is bound to pay our expenses before the men can return to work.

on the trial yesterday it came out in evidence that District Attorney Jerome has secured the minutes of the secret committee of the Stonecutters' Union. Mr. McIntyre will endeavor to have these minutes produced during the trial. Mr. Jerome, it was actively secured the minutes produced the minutes are second to the secured the minutes. said yesterday, secured the minutes from Walking Delegate Call several days ago and has since used them in investigating the charges of extortion that Murphy makes against the members of the union who are now prosecuting him for embezzlement.

LOOK FOR END OF LABOR GRAFT. Building Trades Employers Justify Their

Arbitration Agreement. On behalf of the Board of Governors of the Building Trades Employers' Association this statement was given out vester-

We knew a long time ago about the system of corruption existing among walking delegates and other officers of unions. We were handicapped, however, by conditions, Preads that the president is empowered to appoint a secret executive committee, which will have power to consider in private the business of the association and to carry it in a manner that seems best to them.

Were handicapped, however, by conditions, and strikes were threatened right and left until contractors were willing to submit to extortion. But patience at last ceased to be a virtue, and the organization of the Building Trades Employers' Association fol-



PARKS HELPS TO END TIE-UP PUREST lowed in order to bring such intolerable conlowed in order to bring such intolerable conditions to an end

Our plan of arbitration was then formulated, and at first appeared to have been misunderstood both by the public and the unions. The revelations brought out in the case against the former trensurer of the Journeymen Stone Cutters' Union, which apparently show that he was made the scapears in a bit schope for the against the angelone to the scapears in a bit schope for the scape the scape. AGREES TO LET HIS IRON MEN MEET THE EMPLOYERS.

the Iron League and the Building Trades Men to Be Held To-day Other i Unions Must Follow Iron Workers.

goat in a big scheme for fleecing the em-ployers is a sufficient justification for our

Murphy, Says Ex-Delegate, Lived Up to

the Union's Laws.

R. J. Ainslow, ex-walking delegate of the

"The employers sent to the

Journeymen Stone Cutters' Union, said

union, and nothing was done in the way

of fining the employers that was not pro-

vided for in the constitution of the union. So far there has been nothing to show that

the proceedings under which the fines were imposed were irregular."

Fine and Imprisonment for Contempt of

Court in Violating an Injunction.

As to the merits of the original dispute

between the two parties, I have no knowledge

It was to enforce these everyday rules that the injunction in this action was granted. I find that three men deliberately disobeyed the order of this court. This makes it a case of criminal contempt.

Such being the facts every consideration of law and order requires such a sentence as will

prevent such attacks in the future. An in-function is not sacred as coming from any

STRIKERS TO GET EVEN.

Amalgamated Carpenters Keep Up Fight

The Board of Building Trades, or what

Against the Brotherhood.

is left of that body, held a very brief meet-

ing in Brevoort Hall yesterday afternoon.

After it was over acting Secretary Fyfe,

who is also the delegate of the Amalga-mated Carpenters, said that his organi-

zition has started in to order strikes against the Brotherhood of Carpenters.

This is because the Amalgamated Car-penters are being laid off by the members of the Employers' Association, on the ground that the union refused to sign the arbitration agreement of the association

arbitration agreement of the association. Strikes by other unions which have not signed the arbitration agreement were also

George A. Fuller Company where members of the Amalgamated Carpenters' Society

are employed. Several months ago the brotherhood ordered a strike on all the contracts of the Fuller company against members of the Amalgamated Carpenters'

Society. The company then made an agreement with the latter to employ only

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its members.

to make and should help to uphold.

forse and has agreed to head a committee of the Housesmiths and Bridgemen's Union which will confer with the Iron League and the Building Trades' Employers' Association to-day with a view to a settlement of the building shutdown.

The housesmiths can hold up nearly all the other trades, and, if, as is expected, they each a settlement to-day the rest of the trades which have not settled will have to follow suit. Two letters asking for the conferences

were read at a meeting of the Housesmith and Bridgemen's Union held late last night in Maennerchor Hall, Fifty-sixth street near Third avenue. The first was from J. M. Cornell, president of the Iron League, and was as follows:

Housesmiths and Bridgemens' Union, No. STRACUSE, July 24 .- Justice W. S. An-Housesmiths and Bridgemens Union, New York Citis.

DEAR SIRS: As agreed with your business agent, Mr. Parks, vesterday, I have called a meeting of the executive committee of the fron League, to need at this office on Saturday next at 12 o'clock, to confer with a committee from your union to endeavor to settle the difficulties now existing in the iron trade. Very truly yours, John M. Consett.

The second letter was from William K. Hertig, secretary of the Building Trades Employers' Association, and requesting a conference with a committee of the association at 1123 Broadway at 3 o'clock this drews of the Supreme Court to-day sentenced three strikers for contempt of court in failing to obey his injunction forbidding ing there. The men are members of the ciation at 1123 Broadway at 3 o'clock this afternoon. The other asked that all the

afternoon. The other asked that all the officers, the executive committee and fifty officers, the executive committee and firty or seventy-five men from the union at large be appointed to represent the men. Buth requests were agreed to at a late hour last night. The four walking dele-gates, Sam. Parks, Charles, Massey, John Certain truths, however, we all hold to be self-evident. With or without reason, alone pates, Sam Farks, tharles Massey, Jehn Delan and Timethy Metarthy, were appointed without instructions to see the committee of the Ir n League.

It was said during the day that Fark was ready to capitulate. It is not sell how much, if enything, he gets out of it

Funeral of Ellohaici W. Bliss. Funeral services of Eliphalet W. Bliss the Brooklyn inventor and Captain of In Owl's Head, Bay Ridge, on Tuesdy after noon, were held vesterday if Chris Episcopal Church, Bay Ridge the Re Bishop Faulkner, the pastor, offiated,

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DIED. DONNELL OFriday June 24, at Eatons Neck, Long Islad, Derothea De Lamater, Infant daughter Laum R. and William B. Donnell. POSTER. his heme, in Astoria, on July 23, 1908, Walter Foster, aged 39 years.

ordered yesterday. Anong the buildings said to be affected by the strikes is Helen Gould's residence at Forty-seventh street and Fifth avenue.

The Brotherhood of Carpenters is preparing to retaliate by ordering strikes on all contracts outside of New York of the Walter Fosser, ageu an years, Funera ervices will be held at his late residence, 135 enklin st., Astoria, Long Island City, on Sursy, July 26, 1908, at 3 o'clock in the after-Interment private. -At his home, 3 East 76th st., July 24. 3. Dwight Miller Harris. services at his late residence, on Monday afternoon at 4 o'clock. Interment at convenience

of the family. ART .-- On July 22, 1903, at the Industrial Chris-tian Alliance, 170 Bleecker street, Henry B. Hari, aged 69 years.
Funeral Saturday at 11:45 A. M. Friends are inrited to attend. HOLLS .- Suddenly, at his home, in Yonkers, early

Thursday morning, July 23, 1903, Frederick William Holls, aged 46 years.
Funeral services will be held at St. John's Episcopal Church, Yonkers, on Saturday, July 25, at 3 P. M. Trains leave Grand Central Station at 2:06 P. M. Please omit flowers. SWEET.-At Montelair, N. J., on Friday, July 24, 1903, Caroline Williams, widow of Edward

Sweet, and daughter of the late Frederic and Mary Huntington Buil. Relatives and friends are invited to attend the Relatives and friends are investigated on funeral services at her late residence on Monday, July 27, upon the arrival of the 2:10 P. M. train (D., L. & W.) from foot of Barelay and Christopher sis. Boston and Toronto (Canada) papers please copy. WARREN.—At Bad Gastein, Austria, after a brief illness, on Friday, July 24, 1903, Edward Wal-

pole Warren, in his 65th year. Notice of funeral hereafter. London (England.) papers please copy. WHITE .- At St. Vincent's Hospital, July 23, Wilfred L. White, son of the late Lewis J. White

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MADISON AVENUE REFORMED CHURCE, cor. 57th—Rev. Abbott E. Kluredge, Paster. Morning service until September with the Church of the Epiphany, Madison av and 64th at. Prayer meeting Wednesday evening, all summer.

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